JCCo Rec'd PCT/PTO 13 SEP 2005

U. S. PATENT AND TRADEMARK OFFICE U.S. DEPARTMENT OF COMMERCE	ATTORNEY'S DOCKET NUMBER 21295YP
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **10/549338**

INTERNATIONAL APPLICATION NO. US2004/007289	INTERNATIONAL FILING DATE 3/10/2004	PRIORITY DATE CLAIMED 3/14/2003

TITLE OF INVENTION
BICYCLIC ANILIDE SPIROHYDANTOIN CGRP RECEPTOR ANTAGONISTS

APPLICANT(S) FOR DO/EO/US
Ian M. Bell, Steven N. Gallicchio, Cory R. Theberge, Xu-Fang Zhang, Craig Stump and C. Blair Zartman

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.

4. ☐ The US has been elected (PCT Article 31).

5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
     a. ☐ is attached hereto (required only if not communicated by the International Bureau).
     b. ☒ has been communicated by the International Bureau.
     c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
     a. ☐ is attached hereto
     b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
     a. ☐ are attached hereto (required only if not communicated by the International Bureau).
     b. ☐ have been communicated by the International Bureau.
     c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
     d. ☐ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].

9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].

10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A preliminary amendment.

14. ☐ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.2 and 37 CFR 1.821 - 1.825.

18. ☐ A second copy of the published International Application under 35 U.S.C.154(d)(4).

19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. ☐ Other items or information:

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT _September 13, 2005_
EXPRESS MAIL NO. EV 660609232 US
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY _Christine Cuffe_

Computer generated form TransLetter (DO/EO-US) (PCT folder), Merck & Co., Inc., 07/08/2005

Substitute for PTO-1390 (Rev. 07-2005) "Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371"
Approved for use through 3/31/2007. OMB 0651-0021

JC05 Rec'd PCT/PTO 13 SEP 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **10/549338**	INTERNATIONAL APPLICATION NO. US2004/007289	ATTORNEY'S DOCKET NUMBER 21295YP

The following fees are submitted:	CALCULATIONS	PTO USE ONLY
21. ☒ Basic national fee...$300	$300.00	
22. ☐ Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)................................$0 All other situations...$200	$0.00	
23. ☒ Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)......................................$0 Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority...$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ....$400 All other situations...$500	$0.00	
TOTAL OF 21, 22 and 23=	$300.00	

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is **$250** for each additional 50 sheets of paper or fraction thereof.		

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round **up** to a whole number)	RATE		
120 - 100 =	20 /50	0.4 = 1	X $250.00	$250.00	

Surcharge of **$130.00** for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	19 - 20 =	0	X $50.00	$0.00	
Independent Claims	3 - 3 =	0	X $200.00	$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $360.00		
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)			=	$550.00	

Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)].	+		
TOTAL NATIONAL FEE	=	$550.00	

Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00** per property.	+		
TOTAL FEES ENCLOSED	=	$550.00	

	Amount to be refunded:	
	Amount to be charged:	

a. ☐ A check in the amount of $_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of $550.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 000210

MERCK & CO., INC.
Patent Department, RY60-30
P.O. Box 2000
126 East Lincoln Avenue
Rahway, New Jersey 07065-0970

DATE: September 13, 2005

PHONE #: (732) 594-2675

SIGNATURE

David A. Rubin
NAME

40,314
REGISTRATION NUMBER